

*Burch  
McGowan*

August 11, 1953  
Letter Opinion No. 53-86-L

## LAW LIBRARY ARIZONA ATTORNEY GENERAL

Mr. I. P. McBride  
Railway Safety Inspector  
Arizona Corporation Commission  
State Capitol  
Phoenix, Arizona

Dear Mr. McBride:

This letter opinion is in answer to your letter of July 27, 1953, in which you raised the question as to whether the railroad operating between Ray, Arizona, and Ray Junction, Arizona, a distance less than forty miles, must comply with the Arizona Full Crew train law, as set out in Sections 69-121 and 69-122, A.C.A. 1939.

It is the opinion of this office that Section 69-123, A.C.A. 1939, determines the above question. This Section reads in part as follows:

"69-123. Exceptions to full crew requirements. Nothing contained in this act shall apply to \* \* \* or to any railroad less than forty (40) miles long, including all of its operated lines; \* \* \*"

In light of the above statute, we feel that your question must be answered in the negative.

Yours very truly,

DAVID S. WINE  
Assistant to the  
Attorney General

RDB:DSW:RM

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